



**COMMONWEALTH of VIRGINIA**  
*Office of the Attorney General*  
**Richmond 23219**

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November 3, 2003

Carolyn Eddy  
Center for Quality Health Care Services &  
Consumer Protection  
Virginia Department of Health  
3600 West Broad Street, Suite 216  
Richmond, Virginia 23230

**Re: Regulations for the Licensure of Hospice, 12 VAC 5-391-10 *et seq.***

Dear Carrie:

I have reviewed the Regulations for the Licensure of Hospice, 12 VAC 5-391-10 *et seq.* The amended regulations do not conflict with existing federal or state statutes or regulations.

The Board of Health has the authority to promulgate the regulations under Va. Code §§ 32.1-12 and 32.1-162.5. The regulations are consistent with the Board's mandate as set forth in Va. Code § 32.1-162.5 to promulgate regulations authorizing the Commissioner to regulate the activities and services provided by hospice organizations as is necessary to protect the public health, safety and welfare. The Board of Health will not exceed its statutory authority to promulgate regulatory amendments.

Very truly yours,

Matthew M. Cobb  
Assistant Attorney General

cc: Douglas R. Harris